

United States District Court  
District of Massachusetts

	)	
UNITED STATES of AMERICA,	)	
	)	
v.	)	Criminal Action No.
	)	16-10305-NMG
MARTIN GOTTESFELD,	)	
	)	
Defendant.	)	
	)	

ORDER

GORTON, J.

Because neither 28 U.S.C. § 455 nor the cases cited by defendant require a judge to disclose information upon the request of a litigant and because the issue of the presiding judge's recusal has long since been considered and rejected, defendant's emergency motion for disclosure (Docket No. 340) and emergency motion for a stay pending a hearing (Docket No. 341) are **DENIED**. See United States v. Snyder, 235 F.3d 42, 46 (1st Cir. 2000) ("A trial judge must hear cases unless [there is] some reasonable factual basis to doubt the impartiality or fairness of the tribunal . . . otherwise, he has a duty to sit." (alteration in original) (internal quotation marks omitted) (quoting Blizard v. Frechette, 601 F.2d 1217, 1221 (1st Cir. 1979))).

The defendant is reminded that, at the sentencing on Thursday, January 10, 2019, at 11:00 A.M., at which he will

appear pro se, the hearing will be limited to sentencing issues and will not pertain to his pre-trial claims or his conviction after jury trial as to which his rights of appeal have been preserved.

**So ordered.**

/s/ Nathaniel M. Gorton  
Nathaniel M. Gorton  
United States District Judge

Dated December 27, 2018